

General Order

Houston Police Department



ISSUE DATE:

May 20, 2020

NO.

200-16

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 600-15, dated September 16, 2010

SUBJECT: COOPERATIVE AGREEMENTS

POLICY

This directive provides a mechanism for enhancing the department's ability to work cooperatively with other agencies or organizations.

The objective of any cooperative agreement is to strengthen community relationships and to provide a safer environment for the residents of the City of Houston.

This General Order applies to all employees.

1 GENERAL PROVISIONS

Cooperative agreements are written agreements between the Houston Police Department and other agencies or organizations. These include, but are not limited to, other law enforcement agencies, nonprofit organizations, business organizations, specific armed services and branches of the military, colleges and universities, and research institutions. Generally, cooperative agreements define the exchange of data, establish a cooperative partnership, or facilitate providing support services to outside agencies. Cooperative agreements include agreements that authorize an external entity to either share or have access to HPD areas that contain Criminal Justice Information System (CJIS) data or set forth the roles and responsibilities of HPD and the partner agency in exchange for CJIS data or support functions. The form of cooperative agreements may vary dependent upon the situation and service provided (e.g., memorandums of understanding, memorandums of agreement, and formal agreements with contractual provisions).

Cooperative agreements do not include agreements that are strictly financial in nature.

Generally, the Houston Police Department shall make available support functions to outside agencies under the department's cooperative agreements. Employees shall cooperate with all government agencies by providing whatever aid or information such agencies are entitled to receive in accordance with the department's cooperative agreements.

Any law enforcement agency wanting to participate in an interagency cooperation agreement should agree that:

- a. The Houston Police Department shall maintain primary or concurrent control of all criminal investigations under the cooperation agreement. This shall include all undercover investigations.
- b. The agreement shall be signed by the partner agency's chief law enforcement or executive official or the governing body, as applicable to authorize approval of the document. Each agency shall be provided access to the Houston Police Department's services as outlined in the agreement.

2 PROCESS FOR CREATING COOPERATIVE AGREEMENTS

The department's Office of Planning and Data Governance (OPDG) is responsible for coordinating and maintaining all cooperative agreements.

Commands or divisions seeking to initiate any cooperative agreement shall contact OPDG with the details of the project or arrangement. OPDG will work with the requesting command or division to determine the proper form of agreement needed to meet the objective(s) of the project or arrangement and to prepare any related cooperative agreement. Once complete, OPDG will submit the cooperative agreement to the Office of Legal Services for review and then to the Chief of Police for consideration and signature.

In the event a cooperative agreement also provides for the exchange of funds for services rendered or equipment purchases, OPDG will consult with the Office of Budget and Finance to prepare the cooperative agreement.

3 ARCHIVING OF COOPERATIVE AGREEMENTS

The Office of Planning and Data Governance shall maintain an archive of all executed cooperative agreements in a manner that will allow accessibility through the HPD Portal.

Agreements that are sensitive in nature or that otherwise require confidentiality to protect the details of operations or identity of undercover personnel will not be placed on the HPD Portal, but will instead be maintained within OPDG and the concerned division. Such documents may be accessed only with the approval of the Deputy Director of OPDG or designee. All documents shall be maintained in accordance with the City of Houston Code of Ordinance and the records retention policies of the Houston Police Department.

4 OUTSIDE AGENCY NOTIFICATION AND JURISDICTION

The Command Center shall act as the department's liaison with both public and private sector agencies for better interagency communication and coordination. Command Center personnel shall be responsible for notifying any federal law enforcement agencies or other outside agencies of any significant event within their jurisdictions.



Art Acevedo
Chief of Police